



Governor Terry E. Branstad

Lt. Governor Kim Reynolds

San Wong, Director

JUVENILE JUSTICE ADVISORY COUNCIL

"To advocate for an effective, fair and equitable justice system for every Iowa youth."

MINUTES OF REGULAR MEETING

Urbandale Public Library

3520 86th Street, Room A

Urbandale, IA 50322

Thursday, December 1, 2016

- Present:** Joel Illian, Chair; Andrew Allen; Christy Burkhart; Hon. Stephen Clarke; Karyn Finn; Chad Jensen; Jeremy Kaiser; Roy Klobnak; Trevor Lynn; Tony Reed; Carl Smith; Jennifer Tibbetts; Julie Walton; Jeralyn Westercamp; Doug Wolfe
- Staff:** Steve Michael; Tammi Blackstone; Dave Kuker; Scott Musel; Kathy Nesteby; Jeff Regula; Julie Rinker; Laura Roeder-Grubb
- Others:** Laura Book; Cathy Engel; Bill Freeland; Anna Hyatt; Chief JCO's—Shirley Faircloth; Ruth Frush; Chris Wyatt*; Scott Hobart*; Tim Ross; Gary Niles*; Mike Rempé*
*joined via phone

I. Call to Order & Introductions

Joel Illian called the meeting to order at 10:01 a.m. A quorum was present.

II. Discussion with Bob Listenbee, Administrator OJJDP

- **Presentation from Administrator Listenbee**
 - ❖ **Questions and Answers**

Bob Listenbee, Robin Delany-Shabazz, Jennifer Yeh, and Kristen Kracke, federal Office of Juvenile Justice and Delinquency Prevention (OJJDP), joined the meeting via online video webcast. The purpose was to allow more direct interaction and communication between OJJDP staff and state advisory group (SAG) members. They noted resources and support available through the OJJDP website.

Two videos were shared from www.changingmindsnow.org and are part of a public awareness campaign. Both were related to the prevalence and impact of violence and trauma and its effects on child brain development.

Discussion included:

- Reauthorization of the Juvenile Justice and Delinquency Prevention Act (JJDP)—The bill has not passed in the Senate due to an objection from Senator Cotton (Arkansas) who is against phasing out the valid court order. A compromise would be required since the House passed a different bill. Listenbee remained optimistic.
- Compliance regulations—Listenbee reported that approximately 72 comments were received from states, territories, and advocacy groups. A new rule would require a response to each comment. Due to the time involved to complete, there is interest in a partial rule that would address standards and a methodology proposed by one of

the states. More information would be forthcoming. Listenbee stated OJJDP did not want states out of compliance, but underscored the importance of due diligence.

- Coalition for Juvenile Justice (CJJ)—Andrew Allen voiced concerns regarding the diminished role of CJJ and changes made with the Federal Advisory Committee on Juvenile Justice (FACJJ). He asked about ways to insure good dissemination of information and representation/collaboration amongst states.

Listenbee responded that a new set of FACJJ bylaws have been signed that expands the number of representatives to 28 from 14 representatives and 14 alternates.

OJJDP has provided numerous workshops and training at CJJ national conferences and is poised to work more closely with SAG groups. Delany-Shabazz encouraged SAGs and staff to utilize OJJDP training and technical assistance. OJJDP is seeking more direct interaction through web-based staff meetings, email communications to SAG members, and learning about concerns, issues, and what's working well at the state level. Monitoring visits are being scheduled in conjunction with SAG meetings, utilizing travel funds in the best possible manner. SAG members were encouraged to schedule meetings with OJJDP staff when visiting Washington, DC, and to extend invitations to state conferences in an effort to become familiar with activities in Iowa.

Michael thanked OJJDP staff for their support.

- **Iowa Juvenile Justice System Planning and Coordination Discussion**
 - ❖ **SMART**

Tammi Blackstone provided information on the SMART on Juvenile Justice two-year planning grant to improve Iowa's juvenile justice system. Iowa was one of three states to receive the grant which began October, 2016. The comprehensive statewide plan will focus on three primary goals—reduce recidivism, improve outcomes for youth, and increase public safety. Leadership and advisory teams are being assembled. These teams will develop a plan and recommendations that will standardize policies and practices and insure quality and effectiveness of services.

- ❖ **JJDPA Formula Grant**

Allen acknowledged the committed individuals who serve on Iowa's Juvenile Justice Advisory Council (JJAC). He thanked OJJDP staff for their support and service to youth. Allen reviewed reductions in federal Formula grant funding. Iowa's Formula funding is allocated to judicial districts based on child population. He noted the importance of rehabilitation of youth at the front end, the use of evidence-based practices, multi-dimensional family therapy, aftercare, and efforts to help youth transition to adulthood.

- ❖ **JJRI**

Kathy Nesteby thanked Kristen Kracke for her assistance and support with the Juvenile Justice Reform and Reinvestment Initiative (JJRI). Although the grant period has ended, some funding has been utilized to continue expansion of the project and the SPEP tool to other judicial districts. A disposition matrix has been created for use by judges and juvenile court officers in determining what services would best suit a particular youth based upon risk level; newly acquired analytic software will enhance the process. Nesteby noted how these projects fit together and will move statewide through the SMART grant.

❖ **JReS**

Gary Niles, Chief JCO Third Judicial District, reviewed the number of agencies and outside mentors involved in the lives of delinquent youth. Many times these individual entities become isolated in their practice. The Juvenile ReEntry (JReS) project involves three judicial districts in Iowa, the State Training School for Boys (STS), and a host of agencies and mentors working together to prepare these youth for the transition back to their home, community, school, and workforce. The JReS grant has allowed an aggressive approach toward youth team decision making and youth-centered/youth-driven staffing. A statewide referral system is being developed for use by staff and providers; a system has been developed for youth to receive Title XIX when exiting the STS. Niles sees this project as a recalibration of the delinquency system.

❖ **EPICS**

Scott Hobart, Chief JCO 7th Judicial District, provided information related to Effective Practices in Community Supervision (EPICS) in Iowa. EPICS provides JCO's with an effective piece of their client's risk reduction plan, working with moderate to high-risk youth on criminogenic needs, skills, and behavioral changes. The model has been in use in Iowa for approximately two years and all JCO's have been trained. Each judicial district has adopted a sustainability plan and has designated coaches to assist JCO's in improving proficiency and practice of the model. Its use has been important during placement and transition. The SMART grant will assist with funding, technical assistance, and moving evidence-based practices across Iowa and insure program fidelity.

❖ **IGJI**

Jennifer Tibbetts, Chair of the Iowa Task Force for Young Women (ITFYW), provided information regarding the Iowa Girls' Justice Initiative (IGJI). Over the past eighteen months, the IGJI group has met to develop a continuum of services for delinquent girls in Iowa with a focus on high-risk, high-need girls. The group is finalizing a report that contains system and service recommendations for this population. The SMART grant will allow an opportunity to further female-responsive services for girls in Iowa.

❖ **RFK/Dually Involved Youth**

Chad Jensen, Chief JCO 5th Judicial District, provided information on the Polk County Dual Status Youth Training Initiative. Iowa was one of six sites awarded the competitive grant to receive onsite technical assistance from the Robert F. Kennedy National Resource Center for Juvenile Justice (RFK). Polk County was chosen based on its commitment to develop a strong system to address needs of cross-over youth, who can be the most vulnerable and most challenging youth in the juvenile justice system. The initiative includes a two-day onsite training in April. Individuals representing the child welfare system, delinquency system, courts, and the community will participate in the training which includes data collection, management, performance measures, process mapping, screening and assessment methods/practices, case management, family engagement/involvement, organizational cultural changes, information sharing, and sustainability. Jensen thought this effort would pair well with the SMART grant initiatives.

❖ **Q/A**

Michael expressed his appreciation for the technical assistance that has been provided through OJJDP for these projects.

Listenbee noted concerns for mental health, substance abuse, and the opioid epidemic across the nation. OJJDP sponsors the use of family drug courts. He encouraged members to access this information. He also indicated that guidelines for juvenile drug treatment courts are being developed. He referenced technical assistance available through OJJDP and other foundations related to the above projects. He thanked members for their presentations and was excited to observe efforts in Iowa.

[The Council recessed for lunch from 11:30 a.m. to 12:15 p.m.]

III. Approve Minutes – Action

Hon. Stephen Clarke moved to approve the minutes from the September meeting, seconded by Allen. There was no discussion. The motion was unanimously approved.

IV. Division & National Update – Steve Michael

Michael provided the following division update:

- A status quo FY2018-19 budget was presented to the Governor this week. CJJP has requested additional staff to expand SPEG and Results First in corrections, juvenile justice, and child welfare. We are conducting a program inventory in the 5th Judicial District, however, without sufficient staff the work is limited. Michael was uncertain whether this additional request would be fulfilled.
- National Youth in Transition Database (NYTD)—the project is working well, youth surveys are being submitted. Doug Wolfe added that it is a federal requirement to survey every youth in foster care at ages 17 and a cohort of these youth at ages 19 and 21. The project was previously contracted to a firm in New York, but now CJJP has contracted to not only survey youth, but collect data and provide further information.

Council Budget Report

• CJJ Dues – Action

Scott Musel reported that membership fees for the Coalition of Juvenile Justice (CJJ) are due at the end of December. He noted concerns regarding the loss of CJJ staff and viability; a 5% discount is deductible if dues are paid by December 31.

Tony Reed moved to pay CJJ dues by December 31, seconded by Chad Jensen. The motion was unanimously approved.

Musel reported that subcommittee budget amounts are due to be reviewed. In recent years, \$1,800 was budgeted for each subcommittee. These amounts will be discussed with John Quinn, Chair of the Policy & Program Subcommittee (PnP). A PnP meeting will be held prior to the next JJAC meeting, a budget will be presented at the March JJAC meeting.

• Staff & DMC Members' Travel to NAACP Conference

Kuker reported that the Executive Committee met to approve expending DMC funds for travel and registration to attend the NAACP's Iowa Summit on Justice and Disparities held in November. Both he and Stephan Pearson attended. Approximately 150-200 were in attendance including the Governor, Chief Justice, state legislators, Chief JCO's, and line staff. Kuker conducted a workshop on local DMC efforts; it was well attended.

V. Gender Equity

• **Washington DC White House Girls Meeting**

Tibbetts reported on her attendance in September at the conference *Trauma-Informed Approaches in School: Supporting Girls of Color and Rethinking Discipline*. The day-long event focused on the importance of implementing a trauma-informed approach in schools. The conference was geared toward those in the educational field. Attendees varied in their knowledge of the impact of trauma on students. Tibbetts was unsure if the new presidential administration would continue the effort, but she was hopeful follow up information would be provided on implementation efforts. She noted that Iowa educators were not in attendance. A fact sheet from the conference was emailed to JJAC members on September 28.

• **Support of Iowa Girls Justice Initiative Report Recommendations – Action**

Tibbetts distributed copies of draft recommendations from the IGJI report. The report is near completion and will be voted upon at tomorrow's IGJI meeting. The recommendations encompass both system and services through a gender-related lens. The recommendations are for those girls who are serious, violent and chronic but include a continuum of services to help prevent delinquent girls from reaching the deep-end of the system. Currently, these girls are sent out of state, waived to adult court, or spend extended time in detention. Several of the recommendations center around a facility specific to this population that include both secure and staff secure options.

Nestebly noted that the report encompasses the range of girls who enter the system (approximately 4,000) but focuses on those who are at the deep-end of the system (approximately 200). She noted the need for services in Iowa for those girls who are chronic, violent offenders. Lengths of stay in detention have increased for the entire female juvenile justice population and are considerably higher for those at the deep end.

Discussion included the following:

- Oversight—it is recommended that the Department of Inspections and Appeals provide third-party oversight.
- Housing girls in detention—therapeutic services are not provided and there are issues with Title XIX benefits.
- The full report addresses education oversight. Carl Smith suggested including special education programs and services. Michael noted that one of the recommendations includes the local area education agency would provide education which would address special education.
- Costs—to house these girls in Iowa compared to sending them out of state, costs associated with JCO travel and family visits.

Michael reported that Nathan Kirstein, Disability Rights Iowa, phoned yesterday and indicated a minority report may be compiled against the use of a locked facility. Michael wanted the JJAC to be aware of this. Tibbetts added that the report does not recommend a “locked” facility, but rather a “secure” one which has a range of options and has been misinterpreted by a few including Kirstein. Nestebly noted that the report utilized language related to the JJDP Act which CJJP uses for compliance monitoring of facilities when it comes to different levels of security.

Clarke moved to support the recommendations contained in the report, seconded by Tony Reed.

Michael advised that the report will be presented to the Governor, Department of Human

Services, and all Chief JCO's.

The motion passed with one abstention by Wolfe.

VI. Disproportionate Minority Contact

- **NAACP Conference**

This topic was addressed earlier.

VII. Compliance Monitoring

Musel reported on changes in compliance monitoring reporting. The next report is due January 30. The number of violations is similar to previous years. If proposed standards are imposed, Iowa would not be in compliance.

VIII. Unfinished Business

There was no unfinished business.

IX. New Business

- Musel reported that discussions have been held between Wolfe, Allen, and Smith regarding the issues of mental health, substance abuse, brain development, trauma-informed care, and data.
- Wolfe commented on concerns related to Every Student Succeeds Act (ESSA) and children in foster care—keeping them in their home school, transportation provisions, etc. He asked if the matter should be given more consideration with regard to delinquent youth.

Kuker responded that a conference call has been held with Chief JCO'S and State Court Administration legal counsel surrounding the reentry project and the confidentiality law enacted during the last legislative session. There are issues regarding the sharing of information amongst various agencies/entities. Discussions have centered on the development of an MOU between DHS and school districts, including the development of a template. More discussions will be held regarding this matter and Kuker will continue to keep the group informed on progress.

X. Adjourn

The meeting adjourned at 2:48 p.m.

Respectfully submitted,

Julie Rinker
Administrative Secretary
Div. of Criminal & Juvenile Justice Planning
Iowa Department of Human Rights